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ATTORNEY FOR PLAINTIFF

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA-SAN JOSE DIVISION

NOEMIA CARVALHO, on behalf of
himself and others similarly situated,

Plaintiff,

vs.

EQUIFAX INFORMATION SERVICES,
LLC, et al.,

Defendants.

Case No. 5:08-cv-1317 JF

DECLARATION OF RON BOCHNER IN
SUPPORT OF OPPOSITION TO TRANS
UNION'S MOTION TO COMPEL

DATE: June 17, 2008
TIME: 10:00 A.M.
DEPT.: COURTROOM 2

I, Ron Bochner, declare as follows:

1. I am the attorney for plaintiff Carvalho and the putative class in this matter.
2. It is not clear from what act of discovery TU seeks to compel further production, or when such took place. That is why the meet and confer efforts were improper. Plaintiff still does not understand why TU thinks it is entitled to any of the documents it seeks. It appears that the only possible basis for this motion was a demand for documents defendant Experian made and plaintiff responded to in March of 2007. The response that accompanied every response to a demand for documents in this case states that plaintiff would produce documents to the extent parties arranged for copies to be made or paid for production:

1 To the extent that responding party is able to respond, she will do so only upon
2 propounding party's stipulation that responding party shall either review and copy the
3 documents at responding party's attorney's office . . . on an agreeable date, or
4 alternatively, that propounding party shall pay, in advance, for all costs of copying and
5 pick up or delivery, that production of other material items will be at a reasonable cost for
their copying, that items that cannot be reproduced will be taken into custody by
propounding party solely at its own expense and only upon its assumption of all
responsibility for securing, and maintaining the security of, such items, and the production
will otherwise conform only to the requirements of the Discovery Act.

6 3. In every instance, plaintiff served all defendants with responses to demands for documents and
7 other discovery. Experian met the requisites for production. TU did and has not. Nonetheless,
8 TU acknowledges it knows Experian has the documents it wishes to obtain. It does not indicate it
9 has asked Experian for a copy of the documents.

10 4. The response to Experian's document demand occurred on March 13, 2007. The response to
11 Trans Union's document demand occurred on March 30, 2007. Even if we accept March 24,
12 2008 date of knowledge as the date of response, its filing on May 13, 2008, is 50 days later.

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14 I declare under the penalty of perjury that the above is true and correct.

15 Executed at the City and County of Santa Clara this 27th day of May, 2008.

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18 BY _____
19 RON K. BOCHNER
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